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OFFICE OF PETITIONS

In re Application of	:	
Miriam Fields-Babineau	:	DECISION ON
Application No. 09/736,408	:	PETITION
Filed: December 15, 2000	:	
Attorney Docket No. 4523-001	:	

This is a decision on the PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137 filed November 8, 2007 in the above-identified application.

The petition is **GRANTED**.

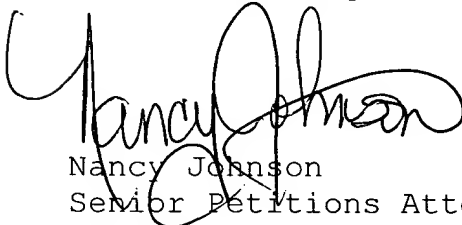
By Notice of Abandonment mailed January 12, 2007, applicant was advised that the above-identified application had become abandoned for failure to file a proper reply to the Office action mailed November 15, 2005. The Office action set a three-month period for reply, with extensions of time obtainable under \$1.136(a). The maximum extendable period for reply to the final Office action expired on May 15, 2006.

On April 20, 2006, applicant filed a Notice of Appeal (made timely by an accompanying petition (and fee) for extension of time for response within the second month). Thereafter, on November 24, 2006, applicant filed a request for continued examination under 37 CFR 1.114 (made timely by an extension of time for response within the fifth month) was filed in this application. Therefore, the appeal was withdrawn pursuant to 37 CFR 1.114. However, the request did not include the submission required by 37 CFR 1.114. Since the proceedings as to the rejected claims are considered terminated, and no claim is allowed, the application is abandoned. See MPEP 1215.01.

On petition, petitioner submitted the lacking submission under 37 CFR 1.114(b) in the form of an amendment; paid the petition fee; and made the required statement of unintentional delay. The requirements of 37 CFR 1.137(b) have been satisfied.

Technology Center AU 3644 is being advised of this decision. The application is, thereby, forwarded to Technology Center AU 3644 for consideration of the submission under § 1.114, and amendment, submitted on petition filed November 8, 2007.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3219.

A handwritten signature in black ink, appearing to read "Nancy Johnson", is written over the typed name and title.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions